

## FIFTIETH DAY

House Chamber, Olympia, Monday, February 28, 2011

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Connor and Alicia Boucher. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Matt Shea, 4th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### RESOLUTION

**HOUSE RESOLUTION NO. 2011-4632, by Representatives Hunt, Ryu, Moscoso, Finn, Lytton, Rodne, Stanford, Jinkins, Billig, Kelley, Dickerson, Orwall, Springer, Seaquist, Rolfes, Dunshee, Blake, Smith, Takko, Tharinger, Cody, Haigh, Hudgins, Reykdal, Maxwell, Kenney, Clibborn, Roberts, Carlyle, Hasegawa, Kagi, Pedersen, Ladenburg, Santos, Appleton, McCoy, Moeller, Sullivan, Ross, Upthegrove, Pettigrew, Hurst, Van De Wege, Haler, Green, Frockt, Nealey, Zeiger, Probst, Jacks, Schmick, Parker, Sells, Hinkle, Fitzgibbon, Bailey, Orcutt, Alexander, Shea, Dammeier, Wilcox, Warnick, Harris, Kretz, Overstreet, Condotta, and Taylor**

WHEREAS, The Peace Corps was established in 1961 by John F. Kennedy to ". . . help the people of interested countries in meeting their need for trained men and women. . . ; help promote a better understanding of Americans on the part of peoples served. . . ; and to help promote a better understanding of other peoples. . . "; and

WHEREAS, The Peace Corps will be celebrating its 50th anniversary of service in 2011; and

WHEREAS, Since 1961, approximately 200,000 Americans have served as Peace Corps Volunteers in 139 host countries in what some call "the toughest job you'll ever love"; and

WHEREAS, Over the Peace Corps' half-century of service, 8,400 tough-minded and dedicated volunteers from the state of Washington have assisted countries around the world; and

WHEREAS, This number ranks the state of Washington fourth among all states in number of Peace Corps Volunteers who have served their country; and

WHEREAS, Today, over 8,000 Peace Corps Volunteers nationwide continue to work with local government, communities, schools, and businesses in 77 countries to address changing needs in education, health, business, and information technology; and

WHEREAS, Returned volunteers have brought back a deeper understanding of the world's populations, have continued to serve their country in a variety of ways, and represent a valuable domestic return on America's investment;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives offer our congratulations to the Peace Corps as it turns 50, recognize its accomplishments, and convey our deep appreciation to all present and former Peace Corps Volunteers as

they continue to promote peace and friendship at home and around the world.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4632.

HOUSE RESOLUTION NO. 4632 was adopted.

There being no objection, the House advanced to the sixth order of business.

### SECOND READING SUSPENSION

**HOUSE BILL NO. 1168, by Representatives Lias, Probst, Kenney, Maxwell, Hunt, McCoy, Finn, Billig and Ormsby**

**Concerning career and technical education.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Probst and Dammeier spoke in favor of the passage of the bill.

### MOTIONS

On motion of Representative Van De Wege, Representatives Lias, Morris and Tharinger were excused. On motion of Representative Hinkle, Representative Condotta was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1168.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1168, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford,

Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Condotta, Lias, Morris and Tharinger.

HOUSE BILL NO. 1168, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1218, by Representatives Goodman and Rodne**

**Making technical corrections to the Revised Code of Washington.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1218 was read the second time.

The bill was placed on final passage.

Representatives Goodman and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1218.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1218, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Condotta, Lias, Morris and Tharinger.

SUBSTITUTE HOUSE BILL NO. 1218, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1402, by Representatives Upthegrove and Orwall**

**Concerning certain social card games in an area annexed by a city or town.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1402 was read the second time.

The bill was placed on final passage.

Representatives Upthegrove and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1402.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1402, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representative Klippert.

Excused: Representatives Condotta, Lias and Tharinger.

SUBSTITUTE HOUSE BILL NO. 1402, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1419, by Representatives Kagi, Roberts and Dickerson**

**Allowing the department of early learning and the department of social and health services to share background check information.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1419.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1419, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst,

Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Condotta, Liias and Tharinger.

HOUSE BILL NO. 1419, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1477, by Representatives Schmick, Sells, Springer, Haler, Roberts and Kenney**

**Authorizing the board of trustees at Eastern Washington University to offer educational specialist degrees.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Schmick and Haigh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1477.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1477, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Condotta and Liias.

HOUSE BILL NO. 1477, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1506, by Representatives Chandler, Takko and Johnson**

**Addressing fire suppression efforts and capabilities on unprotected land outside a fire protection jurisdiction.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1506 was read the second time.

The bill was placed on final passage.

Representatives Chandler and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1506.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1506, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Condotta and Liias.

SUBSTITUTE HOUSE BILL NO. 1506, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1543, by Representatives Rolfes, Frockt, Anderson and Kirby**

**Limiting the issuance of motorcycle instruction permits.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1543 was read the second time.

The bill was placed on final passage.

Representatives Rolfes and Hargrove spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1543.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1543, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn,

Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Kretz, Overstreet and Short.

Excused: Representatives Condotta and Liias.

SUBSTITUTE HOUSE BILL NO. 1543, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1549, by Representatives Dahlquist, Armstrong, Hurst, Pearson, Hope, Moscoso, Dammeier, Anderson, Wilcox, McCune, Kelley and Smith**

**Requiring notification to schools regarding the release of certain offenders.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1549 was read the second time.

The bill was placed on final passage.

Representatives Dahlquist and Kagi spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1549.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1549, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Condotta and Liias.

SUBSTITUTE HOUSE BILL NO. 1549, having received the necessary constitutional majority, was declared passed.

#### POINT OF PERSONAL PRIVILEGE

Representative Parker congratulated Representative Dahlquist on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

#### SECOND READING SUSPENSION

**HOUSE BILL NO. 1564, by Representatives Kenney, Cody, Kagi and Moscoso**

**Concerning the right to control the disposition of human remains.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1564 was read the second time.

The bill was placed on final passage.

Representatives Kenney and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1564.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1564, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Condotta and Liias.

SUBSTITUTE HOUSE BILL NO. 1564, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1594, by Representatives Santos and Anderson**

**Concerning the membership and work of the financial education public-private partnership.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Santos and Anderson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1594.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1594, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Condotta and Liias.

HOUSE BILL NO. 1594, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1595, by Representatives Cody, Appleton and Green

#### Regarding graduates of foreign medical schools.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1595 was read the second time.

The bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1595.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1595, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 1; Not Voting, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Rodne, Rolfes, Ross, Ryu, Santos, Schmick,

Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representative Roberts.

Excused: Representative Condotta.

Not Voting: Representative Hunter

SUBSTITUTE HOUSE BILL NO. 1595, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1595.

Representative Hunter, 48th District

### SECOND READING

#### HOUSE BILL NO. 1613, by Representatives Warnick and Reykdal

#### Regarding providing eyeglasses to medicaid enrollees.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Warnick and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1613.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1613, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1613, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 1614, by Representatives Dickerson, Rodne, Hope, Goodman, Walsh, Roberts, Green, McCoy, Blake, Kagi, Dunshee, Springer, Appleton, Seaquist, Johnson, Jinkins, Liias, Kelley, Rolfes, Maxwell, Van De Wege and Kenney

**Concerning the traumatic brain injury strategic partnership.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1614 was read the second time.

The bill was placed on final passage.

Representatives Dickerson and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1614.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1614, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

SUBSTITUTE HOUSE BILL NO. 1614, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1618, by Representatives Sells, Crouse, Dunshee, McCoy, Liias, Kristiansen and Pearson**

**Addressing public utility districts and deferred compensation and supplemental savings plans.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Sells and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1618.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1618, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1618, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1621, by Representatives Orwall, Kagi and Maxwell**

**Making technical corrections to department of early learning statutes.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1621 was read the second time.

The bill was placed on final passage.

Representatives Orwall and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1621.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1621, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

SUBSTITUTE HOUSE BILL NO. 1621, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1677, by Representatives Reykdal, Sells, Hunt, Green, Ormsby, Kenney and Roberts**

**Changing the certified and registered mail requirements of the department of labor and industries and employment security department.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Reykdal and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1677.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1677, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1677, having received the necessary constitutional majority, was declared passed.

**POINT OF PERSONAL PRIVILEGE**

Representative Hunt congratulated Representative Reykdal on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

**HOUSE BILL NO. 1833, by Representatives Finn and Rolfes**

**Modifying the frequency of meetings of the motorcycle safety education advisory board.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representative Finn spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1833.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1833, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1833, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1926, by Representatives Kenney, Ormsby, Finn, Hasegawa, Ryu, Pettigrew and Liias**

**Using a web-based business services system.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Kenney and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1926.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1926, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer,

Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1926, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

### SECOND READING

**HOUSE BILL NO. 1106, by Representatives Takko, Orcutt and Blake**

**Authorizing disposal of property within the Seashore Conservation Area to resolve boundary disputes.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1106.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1106, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representative Dunshee.

Excused: Representative Condotta.

HOUSE BILL NO. 1106, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1106.

Representative Hasegawa, 11th District

### SECOND READING

**HOUSE BILL NO. 1254, by Representatives Lytton, Blake, Takko, Van De Wege, Ladenburg and Rolfes**

**Regarding the institute of forest resources.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1254 was substituted for House Bill No. 1254 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1254 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1254.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1254, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

SUBSTITUTE HOUSE BILL NO. 1254, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1340, by Representatives Kretz, McCune, Johnson and Warnick**

**Regarding the unlawful hunting of big game.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kretz and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1340.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1340, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1340, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1582, by Representatives Lytton, Morris, Chandler, Blake, Wilcox, Orcutt, Tharinger, Hinkle, McCune, Pearson and Van De Wege**

**Concerning forest practices applications leading to conversion of land for development purposes.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1582.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1582, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1582, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1698, by Representatives Lytton, Morris, Van De Wege, Blake and Liias**

**Improving recreational fishing opportunities in Puget Sound and Lake Washington.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Chandler spoke in favor of the passage of the bill.

Representative McCune spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1698.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1698, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, DeBolt, Hope, Kretz, McCune, Rivers, Shea, Short and Wilcox.

Excused: Representative Condotta.

HOUSE BILL NO. 1698, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1294, by Representatives Tharinger, Warnick, Seaquist, Finn, Smith, Upthegrove, Springer, Dunshee, Orcutt, Hudgins, Reykdal, Rolfes, Hunt, Moscoso, Green, McCoy, Morris, Frockt, Ryu, Jinkins, Fitzgibbon, Sells, Blake, Appleton, Liias, Maxwell, Kenney, Carlyle, Hope and Billig**

**Establishing the Puget Sound corps.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1294 was substituted for House Bill No. 1294 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1294 was read the second time.

Representative Short moved the adoption of amendment (89).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 48.02.160 and 1988 c 248 s 1 are each amended to read as follows:

The commissioner shall:

(1) Obtain and publish for the use of courts and appraisers throughout the state, tables showing the average expectancy of life and values of annuities and of life and term estates.

(2) Disseminate information concerning the insurance laws of this state.

(3) Except as provided in subsection (4) of this section, provide assistance to members of the public in obtaining information about insurance products and in resolving complaints involving insurers and other licensees.

(4)(a) Except as provided in (b) of this subsection, for a rate filing for an individual or small group health benefit plan with an effective date on or after January 1, 2012, subsection (3) of this section applies only to the numeric values of each rating factor used by a health carrier. The remainder of the rate filing shall be open to public inspection subject to subsection (5) of this section.

(b) Subsection (3) of this section shall continue to apply for a period of one year from the date a new individual or small group product filing is submitted or until the next rate filing for the product, whichever occurs earlier, if the commissioner determines that the proposed rate filing is for a new product that is distinct and unique from any of the carrier's currently or previously offered health benefit plans. A carrier must make a written request for a product classification as a new product under this subsection (4)(b) and must receive subsequent written approval by the commissioner for this subsection (4)(b) to apply.

(5) Unless the commissioner has determined that a filing is for a new product pursuant to subsection (4) of this section, for individual or small group health benefit rate filings with an effective date on or after January 1, 2012, the commissioner shall:

(a) Make the portions of each rate filing that are open to public inspection available for public inspection on the tenth calendar day after the commissioner determines that the rate filing is complete and accepts the filing for review through the electronic rate and form filing system;

(b) Prepare a rate disclosure summary form in a standard format that is written in plain language easily understood by the general public. The summary must allow carriers to explain the relationship between premium and health care cost drivers. The summary must set forth, at a minimum, the following: (i) The rate increase, year over year, for annual increases, including historic rate adjustments for at least the past three years; (ii) any percent increase to current rates attributed to mandated changes, not including changes due to demographics; (iii) the number of members impacted by the rate; (iv) the impact of benefit changes on the rate; (v) the products' filed health care trend; (vi) the projected medical loss ratio for the rating period; (vii) the top three drivers contributing to the change in premiums; and (viii) other information added to the summary form by rule that the commissioner, in consultation with carriers, finds reasonably necessary to help consumers understand the reasons for proposed and accepted rates. A carrier shall complete the disclosure summary form and submit it electronically to the commissioner along with each individual or small group health benefit plan rate filing; and

(c) Prepare a standardized rate summary form to explain his or her findings after the rate review process is completed. The commissioner's summary form must be included as part of the rate filing documentation available to the public electronically.

(6) The commissioner shall adopt rules to implement and administer this section. The rules must include, but are not limited to, a process for updating the summary form content in subsection (5)(b) of this section. In adopting rules under this section, the commissioner

shall consult with carriers, as defined in RCW 48.43.005, and consumers in the development of the summary forms."

Correct the title.

Representative Short spoke in favor of the adoption of the amendment.

Representative Upthegrove spoke against the adoption of the amendment.

Amendment (89) was not adopted.

Representative Taylor moved the adoption of amendment (80).

On page 5, after line 22, insert the following:

"(4) Projects undertaken by the corps may not create any additional regulatory burden or financial costs on local governments under the growth management act or the shorelines management act, and participation in corps projects may not serve as a prerequisite to local governments for receiving funds from any other source. However, nothing in this subsection limits a local government's ability to voluntarily participate in, or provide funding for, corps programs."

Representatives Taylor, Hinkle, Orcutt and Parker spoke in favor of the adoption of the amendment.

Representatives Upthegrove and Tharinger spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 42 - YEAS; 55 - NAYS.

Amendment (80) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Upthegrove spoke in favor of the passage of the bill.

Representatives Short, Parker, Hinkle and Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1294.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1294, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Anderson, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rodne, Rolfes, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Buys, Chandler, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hurst, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Overstreet, Parker, Pearson, Rivers, Ross, Schmick, Shea, Short, Taylor and Walsh.

Excused: Representative Condotta.

SUBSTITUTE HOUSE BILL NO. 1294, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1886, by Representatives Takko, Angel, Bailey and Tharinger**

**Implementing recommendations of the Ruckelshaus Center process.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1886 was substituted for House Bill No. 1886 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1886 was read the second time.

With the consent of the house, amendment (41) was withdrawn.

Representative Takko moved the adoption of amendment (104).

On page 2, line 6, after "success;" strike "and"

On page 2, line 7, after "(f)" insert "Improve compliance with other laws designed to protect water quality and fish habitat; and (g)"

Representatives Takko and Angel spoke in favor of the adoption of the amendment.

Amendment (104) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko, Angel, Kretz, Smith and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1886.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1886, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz,

Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Dahlquist and DeBolt.

Excused: Representative Condotta.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1886, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1071, by Representatives Moeller, Fitzgibbon and Frockt**

**Creating a complete streets grant program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1071 was substituted for House Bill No. 1071 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1071 was read the second time.

Representative Moeller moved the adoption of amendment (24).

On page 1, line 17, after "successor." insert "During program development, the department shall include at a minimum, local governments, and other organizations or groups that are interested in the complete streets grant program."

On page 2, line 15, after "means" insert ": (i)"

On page 2, line 18, after "users" insert "; or (ii) a retrofit project on city streets that are part of a state highway that include the addition of, or significant repair to, facilities that provide street access with all users in mind, including pedestrians, bicyclists, and public transportation users"

On page 2, beginning on line 27, after "Communities," strike all material through "institute" on line 29 and insert "as each exists on the effective date of this section or a subsequent date as may be provided by the department by rule, consistent with the purposes of this section"

On page 3, line 6, after "account." insert "The department may use complete street grant program funds for city streets, and city streets that are part of a state highway."

On page 3, beginning on line 28, after "Communities," strike all material through "institute" on line 29 and insert "as each exists on the effective date of this section or a subsequent date as may be provided by the department by rule, consistent with the purposes of this section"

Representative Moeller spoke in favor of the adoption of the amendment.

Amendment (24) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Moeller spoke in favor of the passage of the bill.

Representative Armstrong spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1071.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1071, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Condotta.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1071, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

**HOUSE BILL NO. 1489, by Representatives Billig, Morris, Frockt, Carlyle, Crouse, Ryu, Finn, Jinkins, Fitzgibbon, Tharinger, Rolfes, Liias, Moscoso, Stanford, Dunshee, Pettigrew, Ladenburg, Ormsby, Van De Wege, Moeller, Hunt, Pedersen, Maxwell, Roberts, Reykdal, Kagi, Darneille, Clibborn, Jacks and Kenney**

**Limiting the use of fertilizer containing phosphorus. Revised for 1st Substitute: Protecting water quality through restrictions on fertilizer containing phosphorus.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1489 was substituted for House Bill No. 1489 and the substitute bill was placed on the second reading calendar.

Representative Morris moved the adoption of amendment (40).

Beginning on page 6, line 17, strike all of sections 3 through 6 and insert the following:

**"NEW SECTION. Sec. 3.** A new section is added to chapter 15.54 RCW to read as follows:

(1) A person may not:

(a) Except as otherwise provided in this section, apply turf fertilizer that is labeled as containing phosphorus to turf;

(b) Apply turf fertilizer labeled as containing phosphorus to turf when the ground is frozen;

(c) Intentionally apply turf fertilizer labeled as containing phosphorus to an impervious surface;

(d) Except as otherwise provided in this section, sell turf fertilizer that is labeled as containing phosphorus;

(e) Display turf fertilizer that is labeled as containing phosphorus in a retail store unless the turf fertilizer is also clearly labeled for a use permitted by this section.

(2) The prohibitions in this section on the application, sale, and retail display of turf fertilizer that is labeled as containing phosphorus, other than the prohibitions in subsection (1)(b) and (c) of this section, do not apply in the following instances:

(a) Application for the purpose of establishing grass or repairing damaged grass, using either seeds or sod, during the growing season in which the grass is established;

(b) Application to an area if the soil in the area is deficient in plant available phosphorus, as shown by a soil test performed no more than thirty-six months before the application; or

(c) Application to pasture, interior house plants, flower and vegetable gardens located on either public or private property, land used to grow grass for sod, or any land used for agricultural or silvicultural production.

(3)(a) Nothing in this section:

(i) Limits the ability of a city or county to adopt a local ordinance regarding the application or sale of turf fertilizer that is labeled as containing phosphorus that is more restrictive than the provisions of this section;

(ii) Requires the enforcement or monitoring of compliance with this section by local governments; or

(iii) Requires local governments to participate in the administration of this section, including the verification of soil tests under subsection (2)(b) of this section.

(b) A city or county may not adopt a local ordinance regarding the application or sale of turf fertilizer that is labeled as containing phosphorus that is less restrictive than this section."

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

On page 7, line 27, after "violations of" strike "sections 3, 5, and 6" and insert "section 3"

On page 8, line 18, after "violations of" strike "sections 3, 5, and 6" and insert "section 3"

Representative Taylor moved the adoption of amendment (92) to amendment (40).

On page 1, line 5 of the amendment, after "(1)" strike "A person may not" and insert "A person who is not a private applicator, limited private applicator, or rancher private applicator licensed under RCW 17.21.126 may not"

Representative Taylor spoke in favor of the adoption of the amendment to the amendment.

Representative Billig spoke against the adoption of the amendment to the amendment.

Amendment (92) was not adopted.

Representative Harris moved the adoption of amendment (146) to amendment (40).

On page 1, line 7 of the amendment, after "turf" insert "on a residential property less than one acre in size located adjacent to a waterbody"

Representative Harris spoke in favor of the adoption of the amendment to the amendment.

Representative Billig spoke against the adoption of the amendment to the amendment.

Amendment (146) was not adopted.

Representative Harris moved the adoption of amendment (93) to amendment (40).

On page 1, line 26 of the amendment, after "application;" strike "or"

On page 1, line 30 of the amendment, after "production" insert "; or

(d) Application for the purposes of maintaining a city or county park"

Representative Harris spoke in favor of the adoption of the amendment to the amendment.

Representative Billig spoke against the adoption of the amendment to the amendment.

Amendment (93) was not adopted.

Representative Nealey moved the adoption of amendment (95) to amendment (40).

On page 1, line 26 of the amendment, after "application;" strike "or"

On page 1, line 30 of the amendment, after "production" insert "; or

(d) Application for the purposes of maintaining a public or private grass airstrip"

Representative Nealey spoke in favor of the adoption of the amendment to the amendment.

Representative Billig spoke against the adoption of the amendment to the amendment.

Amendment (95) was not adopted.

Representative Short moved the adoption of amendment (96) to amendment (40).

On page 1, line 26 of the amendment, after "application;" strike "or"

On page 1, line 30 of the amendment, after "production" insert "; or

(d) Application for the purposes of maintaining the grounds of a public or private airport"

Representatives Short and Klippert spoke in favor of the adoption of the amendment to the amendment.

Representative Billig spoke against the adoption of the amendment to the amendment.

Amendment (96) was not adopted.

Representative Hinkle moved the adoption of amendment (100) to amendment (40).

On page 1, line 26 of the amendment, after "application;" strike "or"

On page 1, line 30 of the amendment, after "production" insert "; or

(d) Application to public or private school playgrounds"

Representative Hinkle spoke in favor of the adoption of the amendment to the amendment.

Representative Billig spoke against the adoption of the amendment to the amendment.

Amendment (100) was not adopted.

Representative Morris spoke in favor of the adoption of amendment (40).

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 68 - YEAS; 29 - NAYS.

Amendment (40) was adopted.

Representative Short moved the adoption of amendment (90).

On page 8, after line 26, insert the following:

**"NEW SECTION. Sec. 9.** (1) The department of ecology shall deliver to the governor and the legislature a formal report that outlines all available peer reviewed science showing a correlation between the implementation of the limitations on the use of dishwashing detergent that contains phosphorus contained in chapter 70.95L and improvements in waterbody phosphorus levels.

(2) The report required under this section may be limited, at the discretion of the department of ecology, to Spokane and Whatcom counties.

(3) The report required under this section must be delivered no later than January 1, 2013. If, by January 1, 2013, the department of ecology is unable to demonstrate through peer reviewed science that there is a correlation between the implementation of the limitations on the use of dishwashing detergent that contains phosphorus contained in chapter 70.95L and improvements in waterbody phosphorus levels, then that finding must reported to the governor and the legislature.

(4) This section expires on July 31, 2013."

Correct the title, renumber the remaining sections consecutively, and correct any internal references accordingly.

On page 8, line 27, after "effect" strike "January 1, 2013" and insert "upon the delivery by the department of ecology of a report, as required in section 9 of this act, proving a correlation between the implementation of the limitations on the use of dishwashing detergent that contains phosphorus contained in chapter 70.95L and improvements in waterbody phosphorus levels. If the report delivered pursuant to section 9 of this act finds that peer reviewed science was unable to prove a correlation between the implementation of the limitations on the use of dishwashing detergent that contains phosphorus contained in chapter 70.95L and improvements in waterbody phosphorus levels, then sections 1 through 8 of this act are null and void"

Representatives Short, Orcutt and Taylor spoke in favor of the adoption of the amendment.

Representative Upthegrove spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 40 - YEAS; 57 - NAYS.

Amendment (90) was not adopted.

Representative Short moved the adoption of amendment (91).

On page 8, after line 26, insert the following:

"Sec. 9. RCW 15.54.340 and 2008 c 292 s 2 are each amended to read as follows:

(1) Any packaged commercial fertilizer distributed in this state that is not a customer-formula fertilizer must have placed on or affixed to the package a label stating in clearly legible and conspicuous form the following information:

(a) The net weight;

(b) The product name, brand, and grade. The grade is not required if no primary nutrients are claimed;

(c) The guaranteed analysis;

(d) The name and address of the registrant or licensee. The name and address of the manufacturer, if different from the registrant or licensee, may also be stated;

(e) Any information required under WAC 296-307-560 through 296-307-56050;

(f) A statement, established by rule, referring persons to the department's Uniform Resource Locator (URL) internet address where data regarding the metals content of the product is located; ~~(and)~~

(g) For commercial fertilizers derived solely from organic materials, biosolids, or a biosold product, a list of the chemical concentrations for nitrogen, potassium, and phosphorus in the fertilizer, along with any heavy metals, such as arsenic, lead, and cadmium; and

(h) Other information as required by the department by rule.

(2) Any commercial fertilizer that is distributed in bulk in this state that is not a customer-formula fertilizer must be accompanied by a written or printed statement that includes the information required by subsection (1) of this section and must be supplied to the purchaser at the time of delivery.

(3) Each delivery of a customer-formula fertilizer in this state must be accompanied by either a statement, invoice, a delivery slip, or a label if bagged, containing the following information: The net weight; the brand; the name and amount of each ingredient; the guaranteed analysis which may be stated to the nearest tenth of a percent or to the next lower whole number; the name and address of the registrant or licensee, or manufacturer, or both; and the name and address of the purchaser.

(4) Each delivery of a customer-formula fertilizer must contain the ingredients specified by the purchaser. A record of the invoice or statement of each delivery must be kept by the registrant or licensee for twelve months and must be available to the department upon request."

Correct the title, renumber the remaining sections consecutively, and correct any internal references accordingly.

Representative Short spoke in favor of the adoption of the amendment.

Representative Upthegrove spoke against the adoption of the amendment.

Amendment (91) was not adopted.

The bill was ordered engrossed.

Representatives Billig, Upthegrove, Morris and Billig (again) spoke in favor of the passage of the bill.

Representatives Short, Klippert, Shea, Schmick, Orcutt, Ross and Ross (again) spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1489.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1489, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1.

Voting yea: Representatives Anderson, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Crouse, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hurst, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Condotta.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1489, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1395, by Representatives Dunshee, Chandler, Blake, Van De Wege, Tharinger, Rolfes, Hinkle, Fitzgibbon, Dickerson, Stanford and Reykdal**

**Eliminating expiration dates for the derelict vessel and invasive species removal fee.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dunshee and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1395.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1395, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Harris, Hasegawa, Hinkle,

Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ryu, Santos, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, DeBolt, Hargrove, Johnson, Overstreet, Ross and Shea.

Excused: Representative Condotta.

HOUSE BILL NO. 1395, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1413, by Representatives Blake, Chandler, Tharinger and Hinkle**

**Extending the expiration date of the invasive species council and the invasive species council account from December 31, 2011, to June 30, 2017.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1413.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1413, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1413, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1186, by Representatives Rolfes, Hudgins, Upthegrove, Appleton, Roberts, Pedersen, Carlyle, Goodman, Liias, Van De Wege, Dickerson, Cody, Fitzgibbon, Dunshee, McCoy, Finn, Jacks, Reykdal, Tharinger, Frockt, Billig, Hunt, Kenney, Stanford, Ryu and Seaquist**

**Concerning requirements under the state's oil spill program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1186 was substituted for House Bill No. 1186 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1186 was read the second time.

Representative Hudgins moved the adoption of amendment (63).

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that the "deepwater horizon" wellhead blowout, explosion, and oil spill in the Gulf of Mexico on April 20, 2010, resulted in the release of two hundred million gallons of crude oil into the environment. Impacts after the spill have included deaths and injuries, extensive damage to the marine environment and wildlife habitats, as well as large socioeconomic damages to local citizens, commercial fishing, tourism, businesses, and recreation. As late as six months after the spill, four thousand two hundred square miles of the Gulf of Mexico were closed to commercial shrimp harvest. The incident in the Gulf of Mexico is a reminder that the threat of major spills to Washington's environment, natural resources, economy, quality of life, and private property is significant.

(2) The legislature further finds that during the fall of 2010 the department of ecology compiled lessons learned from the Gulf of Mexico spill and the Puget Sound partnership convened an oil spill work group in an effort to ensure there is a rapid and aggressive response to a large scale spill in Washington and that oversight of spills is well coordinated among different levels of government and industry. The legislature intends to build upon these efforts, and other recent studies, to improve Washington's prevention and response capabilities. While current oil spill contingency plans are required to address worst case spills, it is also clear that the state may be underprepared for a large scale oil spill of the magnitude possible by failures of an oil tanker or a tank barge, particularly within the confined waters of Puget Sound. Lessons learned from the 2010 deepwater horizon incident demonstrate that improvements to Washington's existing oil spill prevention, preparedness, and response capabilities are both necessary and possible.

**Sec. 2.** RCW 88.46.010 and 2009 c 11 s 7 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering:

- (a) The additional protection provided by the measures;
- (b) The technological achievability of the measures; and
- (c) The cost of the measures.

(2)(a) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration:

((a)) (i) Processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development(;;); and

((b)) (ii) Processes that are currently in use.

(b) In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(6) "Department" means the department of ecology.

(7) "Director" means the director of the department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emptying, or dumping.

(9)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(10) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land. "Offshore facility" does not include a marine facility.

(13) "Oil" or "oils" means oil of any kind that is liquid at atmospheric temperature and any fractionation thereof, including, but not limited to, crude oil, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section 101(14) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(18) "Race Rocks light" means the nautical landmark located southwest of the city of Victoria, British Columbia.

(19) "Severe weather conditions" means observed nautical conditions with sustained winds measured at forty knots and wave heights measured between twelve and eighteen feet.

(20) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(21) "Spill" means an unauthorized discharge of oil into the waters of the state.

(22) "Strait of Juan de Fuca" means waters off the northern coast of the Olympic Peninsula seaward of a line drawn from New Dungeness light in Clallam county to Discovery Island light on Vancouver Island, British Columbia, Canada.

(23) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(24) "Vessel emergency" means a substantial threat of pollution originating from a covered vessel, including loss or serious degradation of propulsion, steering, means of navigation, primary electrical generating capability, and seakeeping capability.

(25) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(26) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

(27) "Vessels of opportunity response system" means a fleet of nondedicated commercial vessels and crew, including commercial fishing vessels, other commercial vessels, publicly owned vessels, and other appropriate nonrecreational vessels, that are under contract with, and equipped by, contingency plan holders to assist with oil spill response activities, including on-water oil recovery in the near shore environment and the placement of oil spill containment booms to protect sensitive habitats.

(28) "Regional vessels of opportunity response group" means a fleet of vessels participating in a vessels of opportunity response system and directed and positioned to respond to spills in a defined geographic area.

(29) "Volunteer coordination system" means an oil spill response system that, before a spill occurs, prepares for the coordination of volunteers to assist with appropriate oil spill response activities, which may include shoreline protection and cleanup, wildlife recovery, field observation, light construction, facility maintenance, donations management, clerical support, and other aspects of a spill response.

(30) "Umbrella plan holder" means a Washington nonprofit corporation established consistent with this chapter for the purposes of providing oil spill response and contingency plan coverage.

**NEW SECTION. Sec. 3.** A new section is added to chapter 88.46 RCW to read as follows:

(1)(a) The owner or operator of a tank vessel transiting to or from a Washington marine facility shall establish or fund a vessels of opportunity response system to supplement the timely and effective response to spills in the vessel's area of operation.

(b) Except for tank vessels with an area of operation limited to the Columbia river, the vessels of opportunity response system must be composed of an adequate number of regional vessels of opportunity response groups so as to be prepared to respond to a spill anywhere within the tank vessel's area of operation within twelve hours after notification of a spill event, to the extent that a twelve-hour spill response is determined to be safe and effective. For tank vessels with an area of operation limited to the Columbia river, the vessels of opportunity system may be limited to one regional vessels of opportunity response group located near the mouth of the river.

(c) Each regional vessels of opportunity response group must be composed of a sufficient number of participating vessels to satisfy a planning standard of having at least six capable vessels available at any one time during a spill response incident. To achieve the planning standard of deploying six individual nondedicated vessels at any one time, a regional vessels of opportunity response group must include a total of more than six participating nondedicated vessels.

(2) A vessels of opportunity response system must include the maintenance of active contracts with an adequate sized fleet of capable, nondedicated vessels that ensures the following:

(a) Participating vessels can be rapidly equipped, consistent with subsection (3) of this section, with dedicated response equipment that represents the best achievable technology, given the expected operating environment, for the booming, storage, and recovery of oil. The best achievable technology may vary among regional vessels of opportunity response groups and the individual participating vessels based on whether or not the expected response area is open marine water, harbor areas, Puget Sound, or river environments; however, the vessels participating in an individual response group must, at a minimum, collectively have access to equipment that includes containment boom and oil recovery systems capable of operating in currents of at least four knots;

(b) The appropriate response equipment is readily available to the individual vessels participating in a regional vessels of opportunity response group; and

(c) Crews of the participating vessels are:

(i) Equipped with adequate personal protection gear; and

(ii) Properly trained to utilize response equipment that represents the highest level of available oil spill response technology for the expected operating environment. Crew training may be limited to safe response equipment utilization and deployment and not the maintenance of response equipment.

(3)(a) The dedicated response equipment actually provided to individual participating vessels in a regional vessels of opportunity system may differ among participating vessels; however, the equipment provided collectively to the individual participants in a response group must satisfy the requirements of this section. As such, when necessary to satisfy the requirements of this section, not all participating vessels are, individually, required to be equipped with technology representing the best achievable protection.

(b) The dedicated response equipment provided to individual participating vessels in a regional vessels of opportunity system may be dedicated equipment owned and maintained by the contingency plan holder and not by the owner or operator of the participating vessel as long as the participating vessels have access to, and can be equipped with, the equipment as required in this section. Equipment that is required to be available to dedicated responders under section 5 of this act may supplement but not substitute for equipment available to regional vessels of opportunity response groups.

(4) In addition to meeting requirements specified in RCW 88.46.060, contingency plans for tank vessels operating in Washington waters must provide for the organization and contracting of a vessels of opportunity response system as required by this section.

(5)(a) The requirements of this section may be fulfilled by one or more private organizations or nonprofit corporations providing

umbrella coverage under contract to single or multiple tank vessels. Any organization or corporation providing coverage to satisfy the requirements of this section must ensure that the vessels of opportunity response system being provided includes the establishment of a minimum of six distinct regional vessels of opportunity response groups that are located strategically to ensure a timely response in any of Washington's marine waters or the Columbia river.

(b) Unless otherwise directed by the department, the response groups must at a minimum be stationed so as to be able to respond to incidents occurring in the following locations:

(i) The outer coast;

(ii) The Strait of Juan de Fuca;

(iii) Northern Puget Sound;

(iv) Central Puget Sound;

(v) Southern Puget Sound; and

(vi) The mouth of the Columbia river.

(c) The department may require a private organization or nonprofit corporation providing umbrella coverage to satisfy the requirements of this section to station regional vessels of opportunity response groups in areas that are in addition to the minimum required response areas of this subsection based on risk and need.

(6) Each regional vessel of opportunity response group must undergo a minimum of two drills a year to ensure that the overall vessels of opportunity response system is maintained at an appropriate level of readiness and that the actual number of participating vessels is sufficient to meet the planning goal of deploying a minimum of six capable vessels at any one time during a spill response incident. The department may award credit to the plan holder for practice drills accordingly. Each successful activation of the vessels of opportunity response system may be considered by the department to satisfy a drill covering this portion of the contingency plan.

(7) The decision to activate a vessels of opportunity response system during a spill response, and provide direction as to how and where the regional vessels of opportunity response groups should respond, is the sole responsibility of the designated incident commander or the unified command. The incident commander or unified command is the only entity empowered to direct which of the response equipment available to a regional vessels of opportunity response group is appropriate for the operating environment and for the capabilities of the specific individual responding vessels.

**NEW SECTION. Sec. 4.** A new section is added to chapter 88.46 RCW to read as follows:

(1) The department shall establish a volunteer coordination system. The volunteer coordination system may be included as a part of the state's overall oil spill response strategy, and may be implemented by local emergency management organizations, in coordination with any analogous federal efforts, to supplement the state's timely and effective response to spills.

(2) The department should consider how the volunteer coordination system will:

(a) Coordinate with the incident commander or unified command of an oil spill and any affected local governments to receive, screen, and register volunteers who are not affiliated with the emergency management organization or a local nongovernmental organization;

(b) Coordinate the management of volunteers with local nongovernmental organizations and their affiliated volunteers;

(c) Coordinate appropriate response operations with different classes of volunteers, including pretrained volunteers and convergent volunteers, to fulfill requests by the department or an oil spill incident commander or unified command;

(d) Coordinate public outreach regarding the need for and use of volunteers;

(e) Determine minimum participation criteria for volunteers; and

(f) Identify volunteer training requirements and, if applicable, provide training opportunities for volunteers prior to an oil spill response incident.

(2) An act or omission by any volunteer participating in a spill response or training as part of a volunteer coordination system, while engaged in such activities, does not impose any liability on the department, any participating local emergency management organization, or the volunteer for civil damages resulting from the act or omission. However, the immunity provided under this subsection does not apply to an act or omission that constitutes gross negligence or willful or wanton misconduct.

(3) The decisions to utilize volunteers in an oil spill response, which volunteers to utilize, and to determine which response activities are appropriate for volunteer participation in any given response are the sole responsibilities of the designated incident commander or unified command.

**NEW SECTION. Sec. 5.** A new section is added to chapter 88.46 RCW to read as follows:

(1) In addition to meeting the requirements specified in this chapter applicable to all covered vessels, contingency plans for tank vessels must provide for:

(a) Rapid access to equipment located within the state that reflects the best achievable protection for the expected operating environment in the vessel's area of operation without requiring equipment with capabilities that exceeds the response requirements for the expected operating environment; and

(b) Continuous operation of oil spill response activities without regard to the operating environment to the maximum extent practicable and without unreasonably jeopardizing crew safety.

(2) In reviewing tank vessel contingency plans to measure compliance with this section, the department must ensure that, at a minimum, plans:

(a) Provide access to dedicated equipment appropriate for the operating environment as needed to achieve oil recovery, to the maximum extent practicable and without unreasonably jeopardizing crew safety; including, at minimum, equipment that includes containment boom and oil recovery systems capable of operating in currents of at least four knots. Equipment intended to be used for response activities on the outer coast or the Strait of Juan de Fuca must also be capable of open water operations;

(b) Include a technical analysis of best achievable technology and best achievable protection for the expected operating environment in the vessel's area of operation, and incorporate best achievable protection; and

(c) Provide adequate capacity for storage or proper disposal of the volume and type of oil considered by the contingency plan so as to achieve continuous operation of oil recovery to the maximum extent practicable.

(3) Contingency plans for tank vessels must provide for the ability of the tank vessel to have access, either directly or through an assured contract with a third party, to multispectrum scanning technologies that enhance the ability of responders to detect and respond to oil spills in times of low visibility and at night, including technology that is capable of aerial oil identification, location mapping, and downloading of the information in real time to response vessels and the command post. This technology is not required to be stationed in Washington, but must be capable of being operational at the site of an incident within four hours of plan activation.

**NEW SECTION. Sec. 6.** A new section is added to chapter 88.46 RCW to read as follows:

(1) The department is responsible for ordering joint large-scale, multiple plan equipment deployment drills of tank vessels to determine the adequacy of the owner's or operator's compliance with the contingency plan requirements of this chapter. The department must order at least one drill as outlined in this section every three years.

(2) The tank vessel equipment deployment drills must focus on, at a minimum, the following:

(a) The functional ability for multiple contingency plans to be simultaneously activated with the purpose of testing the ability for dedicated equipment and trained personnel cited in multiple contingency plans to be activated in a large scale spill; and

(b) The operational readiness during both the first six hours of a spill and, at the department's discretion, over multiple operational periods of response.

(3) Joint drills ordered under this section may be incorporated into other drill requirements under this chapter when deemed beneficial by the department for enabling larger scale drills within the overall drill management framework.

(4) Each successful large-scale, multiple plan equipment deployment drill conducted under this section may be considered by the department as a drill of the underlying contingency plan and credit may be awarded to the plan holder accordingly.

(5) The department shall, when practicable, coordinate with applicable federal agencies, the state of Oregon, and the province of British Columbia to establish a drill incident command and to help ensure that lessons learned from the drills are evaluated with the goal of improving the underlying contingency plans.

**Sec. 7.** RCW 88.46.060 and 2005 c 78 s 2 are each amended to read as follows:

(1) Each covered vessel shall have a contingency plan for the containment and cleanup of oil spills from the covered vessel into the waters of the state and for the protection of fisheries and wildlife, shellfish beds, natural resources, and public and private property from such spills. The department shall by rule adopt and periodically revise standards for the preparation of contingency plans. The department shall require contingency plans, at a minimum, to meet the following standards:

(a) Include full details of the method of response to spills of various sizes from any vessel which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of promptly and properly, to the maximum extent practicable, as defined by the department, removing oil and minimizing any damage to the environment resulting from a worst case spill;

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs consistent with this chapter to evaluate whether personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, shellfish beds, environmentally and archaeologically sensitive areas, and public facilities. The departments of ecology, fish and wildlife, ~~(and)~~ natural resources, and ~~(the office of)~~ archaeology and historic preservation, upon request, shall provide information that they have available to assist in preparing this description. The description of archaeologically sensitive areas shall not be required to be included in a contingency plan until it is reviewed and updated pursuant to subsection (9) of this section;

(h) State the means of protecting and mitigating effects on the environment, including fish, shellfish, marine mammals, and other

wildlife, and ensure that implementation of the plan does not pose unacceptable risks to the public or the environment;

(i) Establish guidelines for the use of equipment by the crew of a vessel to minimize vessel damage, stop or reduce any spilling from the vessel, and, only when appropriate and only when vessel safety is assured, contain and clean up the spilled oil;

(j) Provide arrangements for the repositioning of spill containment and cleanup equipment and trained personnel at strategic locations from which they can be deployed to the spill site to promptly and properly remove the spilled oil;

(k) Provide arrangements for enlisting the use of qualified and trained cleanup personnel to implement the plan;

(l) Provide for disposal of recovered spilled oil in accordance with local, state, and federal laws;

(m) Until a spill prevention plan has been submitted pursuant to RCW 88.46.040, state the measures that have been taken to reduce the likelihood that a spill will occur, including but not limited to, design and operation of a vessel, training of personnel, number of personnel, and backup systems designed to prevent a spill;

(n) State the amount and type of equipment available to respond to a spill, where the equipment is located, and the extent to which other contingency plans rely on the same equipment; ~~(and)~~

(o) If the department has adopted rules permitting the use of dispersants, the circumstances, if any, and the manner for the application of the dispersants in conformance with the department's rules;

(p) Compliance with section 8 of this act if the contingency plan is submitted by an umbrella plan holder; and

(q) Include any additional elements of contingency plans as required by this chapter.

~~(2)((~~+~~)) The owner or operator of a (~~tank~~) covered vessel (~~of three thousand gross tons or more shall~~) must submit (~~any~~) required contingency plan updates to the department within (~~six months after~~) the timelines established by the department (~~adopts rules establishing standards for contingency plans under subsection (1) of this section.~~ (b) Contingency plans for all other covered vessels shall be submitted to the department within eighteen months after the department has adopted rules under subsection (1) of this section. The department may adopt a schedule for submission of plans within the eighteen month period.~~

(3)(a) The owner or operator of a tank vessel or of the facilities at which the vessel will be unloading its cargo, or a Washington state nonprofit corporation established for the purpose of oil spill response and contingency plan coverage and of which the owner or operator is a member, shall submit the contingency plan for the tank vessel. Subject to conditions imposed by the department, the owner or operator of a facility may submit a single contingency plan for tank vessels of a particular class that will be unloading cargo at the facility.

(b) The contingency plan for a cargo vessel or passenger vessel may be submitted by the owner or operator of the cargo vessel or passenger vessel, by the agent for the vessel resident in this state, or by a Washington state nonprofit corporation established for the purpose of oil spill response and contingency plan coverage and of which the owner or operator is a member. Subject to conditions imposed by the department, the owner, operator, or agent may submit a single contingency plan for cargo vessels or passenger vessels of a particular class.

(c) A person who has contracted with a covered vessel to provide containment and cleanup services and who meets the standards established pursuant to RCW 90.56.240, may submit the plan for any covered vessel for which the person is contractually obligated to provide services. Subject to conditions imposed by the department, the person may submit a single plan for more than one covered vessel.

(4) A contingency plan prepared for an agency of the federal government or another state that satisfies the requirements of this

section and rules adopted by the department may be accepted by the department as a contingency plan under this section. The department shall ensure that to the greatest extent possible, requirements for contingency plans under this section are consistent with the requirements for contingency plans under federal law.

(5) In reviewing the contingency plans required by this section, the department shall consider at least the following factors:

(a) The adequacy of containment and cleanup equipment, personnel, communications equipment, notification procedures and call down lists, response time, and logistical arrangements for coordination and implementation of response efforts to remove oil spills promptly and properly and to protect the environment;

(b) The nature and amount of vessel traffic within the area covered by the plan;

(c) The volume and type of oil being transported within the area covered by the plan;

(d) The existence of navigational hazards within the area covered by the plan;

(e) The history and circumstances surrounding prior spills of oil within the area covered by the plan;

(f) The sensitivity of fisheries and wildlife, shellfish beds, and other natural resources within the area covered by the plan;

(g) Relevant information on previous spills contained in on-scene coordinator reports prepared by the director; and

(h) The extent to which reasonable, cost-effective measures to prevent a likelihood that a spill will occur have been incorporated into the plan.

(6)(a) The department shall approve a contingency plan only if it determines that the plan meets the requirements of this section and that, if implemented, the plan is capable, in terms of personnel, materials, and equipment, of removing oil promptly and properly and minimizing any damage to the environment.

(b) The department must notify the plan holder in writing within sixty-five days of an initial or amended plan's submittal to the department as to whether the plan is disapproved, approved, or conditionally approved. If a plan is conditionally approved, the department must clearly describe each condition and specify a schedule for plan holders to submit required updates.

(7) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the vessels covered by the plan, and other information the department determines should be included.

(8) An owner or operator of a covered vessel shall notify the department in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a contingency plan as a result of these changes.

(9) The department by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(10) Approval of a contingency plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

NEW SECTION. Sec. 8. A new section is added to chapter 88.46 RCW to read as follows:

(1) When submitting a contingency plan to the department under RCW 88.46.060, any umbrella plan holders that enroll both tank vessels and covered vessels that are not tank vessels must, in addition to satisfying the other requirements of this chapter, specify:

(a) The maximum worst case discharge volume from covered vessels that are not tank vessels to be covered by the umbrella plan holder's contingency plan; and

(b) The maximum worst case discharge volume from tank vessels to be covered by the umbrella plan holder's contingency plan.

(2) Tank vessel owners or operators that are enrolled with an umbrella plan holder and that have worse case discharge volumes larger than the maximum volume covered by the contingency plan of the umbrella plan holder must demonstrate to the satisfaction of the department that the owner or operator of the tank vessel has access to the necessary additional response capabilities.

**Sec. 9.** RCW 88.46.100 and 2000 c 69 s 10 are each amended to read as follows:

((1)) In ((order to assist the state in identifying areas of the navigable waters of the state needing special attention, the owner or operator of a covered vessel shall notify the)) addition to any notifications that the owner or operator of a covered vessel must provide to the United States coast guard ((within one hour:

(a) Of the disability of the covered vessel if the disabled vessel is within twelve miles of the shore of the state; and

(b) Of a collision or a near miss incident within twelve miles of the shore of the state.

(2) The state military department and the department shall request the coast guard to notify the state military department as soon as possible after the coast guard receives notice of a disabled covered vessel or of a collision or near miss incident within twelve miles of the shore of the state. The department shall negotiate an agreement with the coast guard governing procedures for coast guard notification to the state regarding disabled covered vessels and collisions and near miss incidents.

(3) The department shall prepare a summary of the information collected under this section and provide the summary to the regional marine safety committees, the coast guard, and others in order to identify problems with the marine transportation system.

(4) For the purposes of this section:

(a) A tank vessel or cargo vessel is considered disabled if any of the following occur:

(i) Any accidental or intentional grounding;

(ii) The total or partial failure of the main propulsion or primary steering or any component or control system that causes a reduction in the maneuvering capabilities of the vessel;

(iii) An occurrence materially and adversely affecting the vessel's seaworthiness or fitness for service, including but not limited to, fire, flooding, or collision with another vessel;

(iv) Any other occurrence that creates the serious possibility of an oil spill or an occurrence that may result in such a spill.

(b) A barge is considered disabled if any of the following occur:

(i) The towing mechanism becomes disabled;

(ii) The towboat towing the barge becomes disabled through occurrences defined in (a) of this subsection.

(c) A near miss incident is an incident that requires the pilot or master of a covered vessel to take evasive actions or make significant course corrections in order to avoid a collision with another ship or to avoid a grounding as required by the international rules of the road.

(5) Failure of any person to make a report under this section shall not be used as the basis for the imposition of any fine or penalty)) regarding a vessel emergency, the owner or operator of a covered vessel must notify the state of any vessel emergency that results in the discharge or substantial threat of discharge of oil to state waters or that may affect the natural resources of the state. The purpose of this notification is to enable the department to coordinate with the vessel operator, contingency plan holder, and the United States coast guard to protect the public health, welfare, and natural resources of the state and to ensure all reasonable spill preparedness and response measures are in place prior to a spill occurring.

**Sec. 10.** RCW 88.46.090 and 2000 c 69 s 9 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, it shall be unlawful for a covered vessel to enter the waters of the state without

an approved contingency plan required by ((RCW 88.46.060)) this chapter, a spill prevention plan required by RCW 88.46.040, or financial responsibility in compliance with chapter 88.40 RCW and the federal oil pollution act of 1990. The department may deny entry onto the waters of the state to any covered vessel that does not have a required contingency or spill prevention plan or financial responsibility.

(2) Except as provided in subsection (4) of this section, it shall be unlawful for a covered vessel to transfer oil to or from an onshore or offshore facility that does not have an approved contingency plan required under RCW 90.56.210, a spill prevention plan required by RCW 90.56.200, or financial responsibility in compliance with chapter 88.40 RCW and the federal oil pollution act of 1990.

(3) The director may assess a civil penalty of up to ((one)) three hundred thousand dollars against the owner or operator of a vessel who is in violation of subsection (1) or (2) of this section. Each day that the owner or operator of a covered vessel is in violation of this section shall be considered a separate violation.

(4) It shall not be unlawful for a covered vessel to operate on the waters of the state if:

(a) A contingency plan, a prevention plan, or financial responsibility is not required for the covered vessel;

(b) A contingency plan and prevention plan has been submitted to the department as required by this chapter and rules adopted by the department and the department is reviewing the plan and has not denied approval; or

(c) The covered vessel has entered state waters after the United States coast guard has determined that the vessel is in distress.

(5) Any person may rely on a copy of the statement issued by the department to RCW 88.46.060 as evidence that the vessel has an approved contingency plan and the statement issued pursuant to RCW 88.46.040 as evidence that the vessel has an approved spill prevention plan.

(6) Except for violations of subsection (1) or (2) of this section, any person who violates the provisions of this chapter or rules or orders adopted or issued pursuant ((hereto)) to this chapter, shall incur, in addition to any other penalty as provided by law, a penalty in an amount of up to ten thousand dollars a day for each violation. Each violation is a separate offense, and in case of a continuing violation, every day's continuance is a separate violation. Every act of commission or omission which procures, aids, or abets in the violation shall be considered a violation under the provisions of this subsection and subject to penalty. The penalty amount shall be set in consideration of the previous history of the violator and the severity of the violation's impact on public health and the environment in addition to other relevant factors. The penalty shall be imposed pursuant to the procedures set forth in RCW 43.21B.300.

**Sec. 11.** RCW 90.48.366 and 2007 c 347 s 1 are each amended to read as follows:

(1) The department, in consultation with the departments of fish and wildlife and natural resources, and the parks and recreation commission, shall adopt rules establishing a compensation schedule for the discharge of oil in violation of this chapter and chapter 90.56 RCW. The amount of compensation assessed under this schedule shall be:

(a) For spills totaling one thousand gallons or more in any one event, no less than ((one dollar)) three dollars per gallon of oil spilled and no greater than ((one)) three hundred dollars per gallon of oil spilled; and

(b) For spills totaling less than one thousand gallons in any one event, no less than one dollar per gallon of oil spilled and no greater than one hundred dollars per gallon of oil spilled.

(2) The compensation schedule adopted under this section shall reflect adequate compensation for unquantifiable damages or for damages not quantifiable at reasonable cost for any adverse

environmental, recreational, aesthetic, or other effects caused by the spill and shall take into account:

~~((4))~~ ~~(a)~~ Characteristics of any oil spilled, such as toxicity, dispersibility, solubility, and persistence, that may affect the severity of the effects on the receiving environment, living organisms, and recreational and aesthetic resources;

~~((2))~~ ~~(b)~~ The sensitivity of the affected area as determined by such factors as:

~~((a))~~ ~~(i)~~ The location of the spill;

~~((b))~~ ~~(ii)~~ Habitat and living resource sensitivity;

~~((c))~~ ~~(iii)~~ Seasonal distribution or sensitivity of living resources;

~~((d))~~ ~~(iv)~~ Areas of recreational use or aesthetic importance;

~~((e))~~ ~~(v)~~ The proximity of the spill to important habitats for birds, aquatic mammals, fish, or to species listed as threatened or endangered under state or federal law;

~~((f))~~ ~~(vi)~~ Significant archaeological resources as determined by the department of archaeology and historic preservation; and

~~((g))~~ ~~(vii)~~ Other areas of special ecological or recreational importance, as determined by the department; and

~~((3))~~ ~~(c)~~ Actions taken by the party who spilled oil or any party liable for the spill that:

~~((a))~~ ~~(i)~~ Demonstrate a recognition and affirmative acceptance of responsibility for the spill, such as the immediate removal of oil and the amount of oil removed from the environment; or

~~((b))~~ ~~(ii)~~ Enhance or impede the detection of the spill, the determination of the quantity of oil spilled, or the extent of damage, including the unauthorized removal of evidence such as injured fish or wildlife.

**Sec. 12.** RCW 90.56.370 and 2000 c 69 s 21 are each amended to read as follows:

(1) Any person owning oil or having control over oil that enters the waters of the state in violation of RCW 90.56.320 shall be strictly liable, without regard to fault, for the damages to persons or property, public or private, caused by such entry.

(2) Damages for which responsible parties are liable under this section include loss of income, revenue, the means of producing income or revenue, or an economic benefit resulting from an injury to or loss of real or personal property or natural resources.

(3) Damages for which responsible parties are liable under this section include damages provided in subsections (1) and (2) of this section resulting from any action conducted in response to a violation of RCW 90.56.320, including actions to collect, investigate, perform surveillance over, remove, contain, treat, or disperse oil discharged into waters of the state.

(4) In any action to recover damages resulting from the discharge of oil in violation of RCW 90.56.320, the owner or person having control over the oil shall be relieved from strict liability, without regard to fault, if that person can prove that the discharge was caused solely by:

(a) An act of war or sabotage;

(b) An act of God;

(c) Negligence on the part of the United States government; or

(d) Negligence on the part of the state of Washington.

~~((3))~~ ~~(5)~~ The liability established in this section shall in no way affect the rights which: (a) The owner or other person having control over the oil may have against any person whose acts may in any way have caused or contributed to the discharge of oil, or (b) the state of Washington may have against any person whose actions may have caused or contributed to the discharge of oil.

**NEW SECTION. Sec. 13.** (1) The director of the department of ecology must formally request that the federal government contribute to the establishment of regional oil spill response equipment caches in Washington to ensure adequate response capabilities during a multiple spill event.

(2) This section expires December 31, 2014.

**NEW SECTION. Sec. 14.** (1) The department of ecology shall prepare a report to the legislature, consistent with RCW 43.01.036, that identifies the lessons learned through the implementation of sections 3 through 6 of this act and presents any recommendations for changes in the state oil spill preparation and response policies gleaned from the lessons learned.

(2) In preparing the report required in this section, the department of ecology shall consult with both the Puget Sound partnership and a diverse selection of appropriate stakeholders interested in tank vessel oil spill preparedness and response to be invited to participate by the director of the department of ecology. Any recommendations by the department of ecology must also identify any relevant perspectives of the invited stakeholders on the cost-benefit and cost-effectiveness of alternative approaches.

(3) The report required by this section must be delivered by January 5, 2015.

(4) This section expires July 31, 2015.

**NEW SECTION. Sec. 15.** (1) The requirements of this act must be met according to the compliance schedule provided in this subsection. The owners or operators of all affected vessels must either have new contingency plans approved by the department of ecology or updates to existing contingency plans approved by the department of ecology for the following plan components by the following dates:

(a) Compliance with section 3 of this act, relating to vessels of opportunity response systems, by July 1, 2012;

(b) Compliance with section 5(3) of this act, relating to multispectrum scanning technologies, by July 1, 2012;

(c) With the exception of section 5(3) of this act, compliance with the remainder of section 5 of this act, relating to enhanced contingency plan requirements for tank vessels, by January 1, 2013; and

(d) Other than sections 13 and 14 of this act and RCW 88.46.090 and 90.48.366, which become enforceable on the effective date of this section, all other sections of this act must be complied with by October 1, 2011.

(2) The department must comply with section 4 of this act, relating to volunteer coordination systems, by July 1, 2014.

(3) In the initial implementation of sections 3 through 8 of this act, the department of ecology shall consult with appropriate stakeholders interested in tank vessel oil spill preparedness and response, as invited to participate by the director of the department of ecology. However, nothing in this subsection limits the ability of the department of ecology to implement this act in the manner deemed most appropriate by the department of ecology.

(4) Any rules the department of ecology deems necessary for the implementation of this act must be adopted according to the compliance schedule in subsection (1) of this section.

(5) This section expires July 31, 2014."

Correct the title.

Representative Short moved the adoption of amendment (75) to amendment (63).

On page 1, beginning on line 3 of the amendment, strike all of sections 1 through 11

Re-number the remaining sections consecutively.

On page 21, beginning on line 30 of the amendment, strike all of sections 13, 14, and 15

Representatives Short and Rolfes spoke in favor of the adoption of the amendment to the amendment.

Amendment (75) was adopted.

Representative Short moved the adoption of amendment (77) to amendment (63).

On page 6, beginning on line 3 of the amendment, strike everything through "vessels." on page 8, line 36 of the amendment and insert the following:

"(1) In order to better ensure the effective use of qualified regional vessels of opportunity response groups to respond to large scale oil spills, contingency plan holders covering individual or multiple tank vessels transiting to or from a Washington facility shall provide information to assist existing department contingency plan review and preparedness personnel in submitting a report to the legislature, consistent with RCW 43.01.036, no later than July 1, 2012. The report must, at a minimum, include the following:

(a) A recommendation for tiered qualifications, exercise, and performance standards necessary to qualify for listing as a vessels of opportunity system with specific capabilities;

(b) A description of the capabilities and locations of current vessels of opportunity systems;

(c) A survey of potential participants in a vessels of opportunity system per region, consistent with department planning standards;

(d) The identification of geographic areas where regional vessels of opportunity response groups could provide effective early deployment of geographic response plans and on water recovery assistance;

(e) An audit of existing non-profit organizations that utilize vessels of opportunity systems to identify lessons learned for potential expansion of such models; and

(f) Descriptions of safety, performance, and sustainability challenges that need to be addressed to provide for ongoing effective vessels of opportunity systems designed to augment dedicated public and private resources.

(2) The department shall grant equivalent planning standard credit to any tank vessel contingency plan holder demonstrating planning standards compliance provided by a vessels of opportunity system verified by the department.

(3) Nothing in this section shall prevent or delay continuous improvement, testing, or training of any vessels of opportunity systems in place before the effective date of this section."

On page 22, line 24 of the amendment, after "(a)" strike all material through "(b)" on line 26 of the amendment

On page 22, at the beginning of line 28 of the amendment, strike "(c)" and insert "(b)"

On page 22, at the beginning of line 31 of the amendment, strike "(d)" and insert "(c)"

Representative Short and Short (again) spoke in favor of the adoption of the amendment to the amendment.

Representative Rolfes spoke against the adoption of the amendment to the amendment.

Amendment (77) was not adopted.

Representative Short moved the adoption of amendment (76) to amendment (63).

On page 9, beginning on line 3 of the amendment, strike all material through "command." on page 10, line 2 of the amendment and insert the following:

"The department shall utilize available plan review and preparedness resources to work with local emergency management centers or organizations, consistent with national policy and area plans, to implement an oil spill response volunteer coordination system that:

(1) Ensures the safe, efficient, and trained use of volunteers to assist with oil spill response activities determined by the department to be safe and appropriate for volunteer participation;

(2) Provides for certification of volunteers regarding safety and specific skill sets; and

(3) Utilizes tank vessel contingency plan holder expertise to assist in volunteer training efforts."

There being no objection, the House deferred action on SUBSTITUTE HOUSE BILL NO. 1186, and the bill held its place on the second reading calendar.

The House resumed consideration of SUBSTITUTE HOUSE BILL NO. 1186 on second reading considering amendment (76) to amendment (63).

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Rolfes spoke against the adoption of the amendment to the amendment.

Amendment (76) was not adopted.

### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which amendment (75) was adopted.

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Rolfes spoke against the adoption of the amendment to the amendment.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (75), on reconsideration.

Amendment (75) was not adopted

Representative Taylor moved the adoption of amendment (81) to amendment (63).

On page 10, line 15 of the amendment, after "safety" insert ", as determined by the incident commander or the unified command"

Representatives Taylor and Rolfes spoke in favor of the adoption of the amendment to the amendment.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (81) to amendment (63).

### ROLL CALL

The Clerk called the roll on the adoption of amendment (81), and the amendment was adopted by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz,

Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representative Dunshee.

Excused: Representative Condotta.

Amendment (81) was adopted.

Representative Morris moved the adoption of amendment (165) to amendment (63).

On page 10, line 22 of the amendment, after "equipment" insert "representing the best value per dollar based on the volume of oil the response equipment is capable of containing, processing, or removing and"

Representative Morris spoke in favor of the adoption of the amendment to the amendment.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (165) to amendment (63).

### ROLL CALL

The Clerk called the roll on the adoption of amendment (165), and the amendment was adopted by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

Amendment (165) was adopted.

With the consent of the house, amendment (73) to amendment (63) was withdrawn.

Representative Harris moved the adoption of amendment (83) to amendment (63).

On page 11, line 7 of the amendment, after "activation" insert ". If technology equivalent to that which is required under this subsection is owned by the United States or international governments, the department must develop a memorandum of understanding with the applicable governments that allows contingency plan holders the ability to contract for the use of the technology when needed"

Representative Harris spoke in favor of the adoption of the amendment to the amendment.

Representative Rolfes spoke against the adoption of the amendment to the amendment.

Amendment (83) was not adopted.

Representative Short moved the adoption of amendment (74) amendment (63).

On page 16, beginning on line 31 of the amendment, strike all of section 9

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 22, after line 17 of the amendment, insert the following:

"**NEW SECTION, Sec. 15.** (1) The department of ecology shall initiate a process with the United States coast guard to ensure notification and communications protocols under the existing memorandum of understanding between the state of Washington and the United States coast guard, entered into pursuant to RCW 88.46.100, include procedures for the timely sharing of notification from a covered vessel owner or operator to the United States coast guard regarding a vessel emergency that discharges or creates a substantial threat of discharge of oil to state waters.

(2) The terms used in this section have, when appropriate, the same meaning as provided in RCW 88.46.010.

(3) This section expires July 31, 2013."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Rolfes spoke against the adoption of the amendment to the amendment.

Amendment (74) was not adopted.

Representative Nealey moved the adoption of amendment (84) to amendment (63).

On page 22, beginning on line 18 of the amendment, after "**15.**" strike everything through "2014." on page 23, line 11 of the amendment and insert the following:

"(1) The department of ecology shall, in coordination with appropriate stakeholders interested in tank vessel oil spill preparedness and response, adopt rules regarding the implementation of this act.

(2) The rules required by this section must include a schedule of compliance with sections 3, 5, 6, and 8 of this act. The owners and operators of all affected vessels are not required to include the provisions of sections 3, 5, 6, or 8 of this act in any new contingency plans submitted to the department of ecology for approval, or submit any updates to existing contingency plans, until the compliance date or dates identified by the department of ecology.

(3) This section expires on July 31, 2016."

Representative Nealey spoke in favor of the adoption of the amendment to the amendment.

Representative Upthegrove spoke against the adoption of the amendment to the amendment.

Amendment (84) was not adopted.

Representative Hudgins spoke in favor of the adoption of amendment (63) as amended.

Amendment (63) was adopted as amended.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Rolfes spoke in favor of the passage of the bill.

Representatives Short and McCune spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1186.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1186, and the bill passed the House by the following vote: Yeas, 62; Nays, 35; Absent, 0; Excused, 1.

Voting yea: Representatives Anderson, Appleton, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Sequist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Armstrong, Asay, Buys, Chandler, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hurst, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Taylor, Walsh, Warnick and Wilcox.

Excused: Representative Condotta.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1186, having received the necessary constitutional majority, was declared passed.

### **HOUSE BILL NO. 1721, by Representatives Frockt, Kenney, Roberts, Fitzgibbon and Stanford**

#### **Preventing storm water pollution from coal tar sealants.**

The bill was read the second time.

There being no objection, Engrossed Substitute House Bill No. 1721 was substituted for House Bill No. 1721 and the substitute bill was placed on the second reading calendar.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1721 was read the second time.

Representative Frockt moved the adoption of amendment (59).

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Coal tar" means a material that contains coal tar identified by chemical abstract number 8007-45-2.

(2) "Coal tar pavement product" means a material that contains coal tar that is intended for use as a pavement sealant.

(3) "Department" means the department of ecology.

**NEW SECTION. Sec. 2.** (1) After January 1, 2012, no person may sell at wholesale or retail a coal tar pavement product that is labeled as containing coal tar.

(2) After July 1, 2012, a person may not apply a coal tar pavement product on a driveway or parking area.

(3) The department may issue a notice of corrective action to a person in violation of subsection (1) or (2) of this section.

(4) A city or county may adopt an ordinance providing for enforcement of the requirements of subsection (1) or (2) of this section. A city or county adopting an ordinance has jurisdiction concurrent with the department to enforce this section.

**NEW SECTION. Sec. 3.** Sections 1 and 2 of this act constitute a new chapter in Title 70 RCW."

Correct the title.

Representative Short moved the adoption of amendment (159) to amendment (59).

On page 1, line 15 of the amendment, after "(3)" insert "(a)"

On page 1, after line 16 of the amendment, insert the following:

"(b) Prior to issuing a notice of corrective action under (a) of this subsection, the department shall verify that the product referenced in the notice is a coal tar pavement product.

(c) In determining whether a product is a coal tar pavement product under (b) of this subsection, the department shall use credible testing data that incorporates peer reviewed science."

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Frockt spoke against the adoption of the amendment to the amendment.

Amendment (159) was not adopted.

Representative Short moved the adoption of amendment (155) to amendment (59).

On page 1, line 17 of the amendment, after "(4)" insert "(a)"

On page 1, after line 20 of the amendment, insert the following:

"(b) The department shall provide all cities and counties adopting an ordinance under (a) of this subsection with proper training to identify and test coal tar and coal tar pavement products. This training must be provided to all staff that enforce the requirements of this section."

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Frockt spoke against the adoption of the amendment to the amendment.

Amendment (155) was not adopted.

Representative Harris moved the adoption of amendment (154) to amendment (59).

On page 1, after line 20 of the amendment, insert the following:

**"NEW SECTION. Sec. 3.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided

by June 30, 2011, in the omnibus appropriations act, this act is null and void."

Renumber the remaining section consecutively and correct any internal references accordingly.

Representative Harris spoke in favor of the adoption of the amendment to the amendment.

Representative Frockt spoke against the adoption of the amendment to the amendment.

Amendment (154) was not adopted.

Representative Short moved the adoption of amendment (156) to amendment (59).

On page 1, after line 20 of the amendment, insert the following:

**"NEW SECTION. Sec. 3.** The department shall provide and maintain a list of all products containing polycyclic aromatic hydrocarbons and their concentrations on its website."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 1, line 21 of the amendment, after "1" strike "and 2" insert "through 3"

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Frockt spoke against the adoption of the amendment to the amendment.

Amendment (156) was not adopted.

Representative Short moved the adoption of amendment (157) to amendment (59).

On page 1, after line 20 of the amendment, insert the following:  
**"NEW SECTION. Sec. 3.** The department shall provide a report to the legislature, consistent with RCW 43.01.036, identifying whether reductions in polycyclic aromatic hydrocarbons in storm water runoff have taken place as a result of this act. This report must be provided by December 1, 2015."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 1, line 21 of the amendment, after "1" strike "and 2" insert "through 3"

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Frockt spoke against the adoption of the amendment to the amendment.

Amendment (157) was not adopted.

Representative Short moved the adoption of amendment (158) to amendment (59).

On page 1, after line 20 of the amendment, insert the following:  
**"NEW SECTION. Sec. 3.** The department shall provide its staff with proper training to identify and test coal tar and coal tar pavement products."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 1, line 21 of the amendment, after "1" strike "and 2" insert "through 3"

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Frockt spoke against the adoption of the amendment to the amendment.

Amendment (158) was not adopted.

Representative Harris moved the adoption of amendment (160) to amendment (59).

On page 1, after line 20 of the amendment, insert the following:  
**"NEW SECTION. Sec. 3.** Sections 1 and 2 of this act are effective only after the department identifies coal tar polycyclic aromatic hydrocarbons as being the primary source of polycyclic aromatic hydrocarbons pollution in this state's waters."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 1, line 21 of the amendment, after "1" strike "and 2" insert "through 3"

Representative Harris spoke in favor of the adoption of the amendment to the amendment.

Representative Frockt spoke against the adoption of the amendment to the amendment.

Amendment (160) was not adopted.

Representative Frockt spoke in favor of the adoption of amendment (59).

Amendment (59) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Frockt spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1721.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1721, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Asay, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Warnick, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Buys, Chandler, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Johnson, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Schmick, Shea, Short, Taylor, Walsh and Wilcox.

Excused: Representative Condotta.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1721, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1267, by Representatives Pedersen, Walsh, Jinkins, Eddy, Roberts, Kagi, Sullivan, Van De Wege, Hurst, Goodman, Orwall, Moeller, Kirby, Frockt, Carlyle, Liias, Kenney, Clibborn, Seaquist, Blake, Hudgins, Fitzgibbon, Darneille, Dunshee, Morris, Takko, Pettigrew, Finn, Billig, Hunter, Cody, Dickerson, Stanford, Springer, Reykdal, Haigh, Rolfes, Sells, Jacks, Appleton, Hunt, Maxwell, Ryu, Ormsby, Ladenburg, McCoy, Santos, Lytton, Moscoso, Upthegrove, Green, Hasegawa and Tharinger**

**Clarifying and expanding the rights and obligations of state registered domestic partners and other couples related to parentage.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1267 was substituted for House Bill No. 1267 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1267 was read the second time.

With the consent of the house, amendments (149), (194), (127), (129), (130), (131), (132), (180), (181), (183), (184), (185), (187), (188), (189), (190), (192), (195), (197), (198), (114), (109), (116), (117), (118), (119) and (150) were withdrawn.

Representative Warnick moved the adoption of amendment (126).

On page 2, at the beginning of line 30, strike "services" and insert "delivery of a child under a surrogacy contract"

On page 38, beginning on line 23, after "at least" strike all material through "amount" on line 25 and insert "one million dollars. The intended parent or parents may not be beneficiaries of the life insurance policy"

Representatives Warnick and Miloscia spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (126) was not adopted.

Representative Fagan moved the adoption of amendment (128).

On page 2, at the beginning of line 30, strike "services" and insert "delivery of a child under a surrogacy contract"

On page 37, line 22, after "age" insert ", is a United States citizen residing in Washington, and has been a Washington state resident for at least one year"

Representatives Fagan and Miloscia spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 44 - YEAS; 54 - NAYS.

Amendment (128) was not adopted.

Representative Miloscia moved the adoption of amendment (182).

On page 2, at the beginning of line 30, strike "services" and insert "delivery of a child under a surrogacy contract"

On page 40, beginning on line 6, after "(e)" strike all material through "surrogate, the" on line 7 and insert "It must provide for the payment of compensation to the woman acting as a surrogate in an amount of at least five thousand dollars per month from the date the contract is executed until one month after the birth of the child. The"

Representative Miloscia and Miloscia (again) spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (182) was not adopted.

Representative Miloscia moved the adoption of amendment (186).

On page 2, at the beginning of line 30, strike "services" and insert "delivery of a child under a surrogacy contract"

On page 40, beginning on line 16, after "transfer of" strike all material through "organizations" on line 20 and insert "no more than one embryo"

Representative Miloscia spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (186) was not adopted.

Representative Miloscia moved the adoption of amendment (191).

On page 2, at the beginning of line 30, strike "services" and insert "delivery of a child under a surrogacy contract"

On page 38, beginning on line 26, after "with" strike all material through "child" on line 34 and insert "minimum benefits of at least twenty thousand dollars per year for the life of the woman acting as a surrogate for any physician ordered pregnancy related disability"

Representative Miloscia and Miloscia (again) spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 47 - YEAS; 51 - NAYS.

Amendment (191) was not adopted.

Representative Miloscia moved the adoption of amendment (193).

On page 2, at the beginning of line 30, strike "services" and insert "delivery of a child under a surrogacy contract"

On page 40, line 36, after "pregnancy" insert "and to make decisions with her health care provider regarding whether to undergo an elective caesarian section procedure. The surrogacy contract may not contain any term or condition that mandates or financially encourages the woman acting as a surrogate to undergo an elective caesarian section procedure"

Representative Miloscia spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (193) was not adopted.

Representative Miloscia moved the adoption of amendment (196).

On page 2, at the beginning of line 30, strike "services" and insert "delivery of a child under a surrogacy contract"

On page 44, line 24, after "health" strike "may" and insert "shall"

On page 44, beginning on line 26, after "contract." strike all material through reference." on line 33

Representatives Miloscia, Rodne, Orcutt and Miloscia (again) spoke in favor of the adoption of the amendment.

Representatives Pedersen and Dickerson spoke against the adoption of the amendment.

Amendment (196) was not adopted.

Representative Bailey moved the adoption of amendment (68).

On page 38, line 7, after "(g)" insert "She is not currently receiving or eligible to receive public assistance or benefits through programs such as temporary assistance for needy families, the disability lifeline, the basic food program, Medicaid, or other similar programs, from any state or federal agency;

(h)"

Re-letter the remaining subsections consecutively and correct any internal references accordingly.

Representatives Bailey, Miloscia and Ross spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 47 - YEAS; 51 - NAYS.

Amendment (68) was not adopted.

Representative Pedersen moved the adoption of amendment (200).

On page 38, line 10, after "(h)" insert "She has executed a health care advance directive regarding the withholding or withdrawal of life-sustaining treatment if he or she is in a terminal condition or permanent unconscious state during the surrogacy pregnancy and she has executed a durable power of attorney for health care designating a person to make health care decisions if she becomes incapacitated during the surrogacy pregnancy. Under no circumstances shall the woman acting as a surrogate appoint an intended parent as the attorney in fact under a durable power of attorney for health care executed under this section.

(i)"

Reletter the remaining subsection consecutively and correct internal references accordingly.

Representative Pedersen spoke in favor of the adoption of the amendment.

Amendment (200) was adopted.

Representative Miloscia moved the adoption of amendment (111).

On page 38, at the beginning of line 14, strike "may" and insert "shall"

On page 38, line 34, after "parents" strike "may" and insert "shall"

On page 40, line 14, after "(a)" insert "The intended parent or parents to pay for all costs associated with the pregnancy, including all medical care, expenses associated with traveling to and from medical appointments, insurance premiums, prenatal vitamins, and other costs;

(b)"

Re-letter the remaining subsections consecutively and correct any internal references accordingly.

Representatives Miloscia, Rodne and Miloscia (again) spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (111) was not adopted.

Representative Miloscia moved the adoption of amendment (110).

On page 40, line 11, after "act;" strike "and"

On page 40, line 12, after "(f)" insert "It must require that the woman acting as a surrogate have prenatal medical visits with her physician at a minimum of once a month during the pregnancy; and (g)"

Representatives Miloscia, Smith and Overstreet spoke in favor of the adoption of the amendment.

Representative Roberts spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 48 - YEAS; 50 - NAYS.

Amendment (110) was not adopted.

Representative Miloscia moved the adoption of amendment (112).

On page 40, line 11, after "act;" strike "and"

On page 40, line 12, after "(f)" insert "It must provide restrictions on the consumption of alcohol, drugs, and tobacco by the woman acting as a surrogate during the pregnancy; and (g)"

Representative Miloscia and Miloscia (again) spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 44 - YEAS; 53 - NAYS.

Amendment (112) was not adopted.

Representative Miloscia moved the adoption of amendment (113).

On page 40, line 11, after "act;" strike "and"

On page 40, line 12, after "(f)" insert "Notwithstanding subsection (6)(a) of this section, it must prohibit the woman acting as a surrogate from terminating the pregnancy for any reason other than to save the life of the woman acting as a surrogate; and (g)"

On page 41, line 16, after "(6)(a)" strike "Nothing" and insert "Except as provided in subsection (2)(f) of this section, nothing"

On page 41, beginning on line 18, after "pregnancy" strike all material through "law" on line 20

Representative Miloscia spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

Amendment (113) was not adopted.

Representative Miloscia moved the adoption of amendment (115).

On page 44, after line 3, insert the following:

**NEW SECTION. Sec. 61.** (1) The attorneys representing the woman acting as a surrogate and the intended parent or parents shall submit a copy of the surrogacy contract to the department of social and health services at the time the attorneys file the certifications required under section 60 of this act.

(2) The department of social and health services shall review the surrogacy contracts it receives and, beginning December 31, 2012 and each year thereafter, shall report to the legislature on the following issues:

(a) Whether there are any instances or indications that women acting as surrogates are mentally ill, disabled, or indigent;

(b) Whether the health, safety, and welfare of the women acting as surrogates are being adequately addressed in the contracts; and

(c) Any other matters the department considers relevant to report regarding the fairness of surrogacy contracts and the treatment of the women acting as surrogates."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 47, line 7, after "through" strike "66" and insert "67"

Representatives Miloscia, Orcutt and McCune spoke in favor of the adoption of the amendment.

Representative Eddy spoke against the adoption of the amendment.

Amendment (115) was not adopted.

Representative Pedersen moved the adoption of amendment (199).

On page 46, beginning on line 28, after "(2)" strike all material through "(3)" on line 30

Renumber the remaining subsections consecutively.

On page 47, after line 2, insert the following:

**"Sec. 73.** RCW 26.26.220 and 2010 c 94 s 7 are each amended to read as follows:

A person shall not enter into, induce, arrange, procure, or otherwise assist in the formation of a ~~((surrogate parentage))~~ surrogacy contract under which an unemancipated minor female or a female diagnosed as having an intellectual disability, a mental illness, or developmental disability is ~~((the surrogate mother))~~ a woman acting as a surrogate."

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representative Pedersen spoke in favor of the adoption of the amendment.

Amendment (199) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen and Jinkins spoke in favor of the passage of the bill.

Representatives Rodne, Miloscia and Smith spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1267.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1267, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris,

Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Miloscia, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Warnick, Wilcox and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1267, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 1, 2011, the 51st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

1071	Second Reading.....	10
1071-S	Second Reading.....	11
	Amendment Offered.....	11
	Third Reading Final Passage.....	11
1106	Second Reading.....	7
	Third Reading Final Passage.....	8
1168	Second Reading.....	1
	Third Reading Final Passage.....	1
1186	Second Reading.....	14
1186-S	Second Reading.....	14
1186-S2	Third Reading Final Passage.....	22
1218	Second Reading.....	1
1218-S	Second Reading.....	2
	Third Reading Final Passage.....	2
1254	Second Reading.....	8
1254-S	Second Reading.....	8
	Third Reading Final Passage.....	8
1267	Second Reading.....	24
1267-S2	Second Reading.....	24
	Amendment Offered.....	24
	Third Reading Final Passage.....	27
1294	Second Reading.....	9
1294-S	Second Reading.....	9
	Third Reading Final Passage.....	10
1340	Second Reading.....	8
	Third Reading Final Passage.....	8
1395	Second Reading.....	14
	Third Reading Final Passage.....	14
1402	Second Reading.....	2
1402-S	Second Reading.....	2
	Third Reading Final Passage.....	2
1413	Second Reading.....	14
	Third Reading Final Passage.....	14
1419	Second Reading.....	2
	Third Reading Final Passage.....	2
1477	Second Reading.....	2
	Third Reading Final Passage.....	3
1489	Second Reading.....	11
1489-S	Third Reading Final Passage.....	14
1506	Second Reading.....	3
1506-S		

Second Reading.....	3
Third Reading Final Passage .....	3
1543	
Second Reading.....	3
1543-S	
Second Reading.....	3
Third Reading Final Passage .....	3
1549	
Second Reading.....	3
1549-S	
Second Reading.....	3
Third Reading Final Passage .....	4
1564	
Second Reading.....	4
1564-S	
Second Reading.....	4
Third Reading Final Passage .....	4
1582	
Second Reading.....	8
Third Reading Final Passage .....	9
1594	
Second Reading.....	4
Third Reading Final Passage .....	4
1595	
Second Reading.....	4
1595-S	
Second Reading.....	5
Third Reading Final Passage .....	5
1613	
Second Reading.....	5
Third Reading Final Passage .....	5
1614	
Second Reading.....	5
1614-S	
Second Reading.....	5
Third Reading Final Passage .....	6
1618	
Second Reading.....	6
Third Reading Final Passage .....	6
1621	
Second Reading.....	6
1621-S	
Second Reading.....	6
Third Reading Final Passage .....	6
1677	
Second Reading.....	6
Third Reading Final Passage .....	6
1698	
Second Reading.....	9
Third Reading Final Passage .....	9
1721	
Second Reading.....	22
1721-S	
Second Reading.....	22
Amendment Offered.....	22
Third Reading Final Passage .....	23
1833	
Second Reading.....	7
Third Reading Final Passage .....	7
1886	
Second Reading.....	10
1886-S	
Second Reading.....	10
Amendment Offered.....	10
Third Reading Final Passage .....	10
1926	

Second Reading ..... 7  
 Third Reading Final Passage ..... 7  
 4632  
 Introduced ..... 1  
 Adopted ..... 1  
 HOUSE OF REPRESENTATIVES (Representative Moeller presiding)  
 Point of Personal Privilege Representative Hunt ..... 7  
 Point of Personal Privilege Representative Parker ..... 4  
 Statement for the Journal Representative Hasegawa ..... 8  
 Statement for the Journal Representative Hunter ..... 5